

**REMARKS/ARGUMENTS**

After the foregoing Amendment, claims 44-72 are pending in this application. Claims 44, 49, 59, and 64 have been amended. Claims 1-43 were cancelled in a previous amendment without prejudice. Applicants submit that no new matter has been introduced into the application by these amendments.

**Claim Rejections - 35 USC §103**

Claims 44, 49, and 59 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,141,347 to Shaughnessy et al. (hereinafter "Shaughnessy") in view of WO/01/82645 to Emilsson et al. (hereinafter "Emilsson"). Specifically, the Examiner indicates that Shaughnessy combined with a paging message as disclosed by Emilsson renders independent claims 44, 49, and 59 obvious. (*December 14, 2007 Office Action, page 2.*) Applicants respectfully disagree with this conclusion, on the basis that neither Shaughnessy nor Emilsson, taken alone or in combination, teach or remotely suggest a *multicast group paging message indicating an allocated single wireless channel* as recited in claims 44, 49, and 59. The Examiner indicates that Shaughnessy does not disclose this element, (*December 14, 2007 Office Action, page 2*), and Applicants agree. The Examiner states, however, that Emilsson teaches this element of claim 44, and cites Emilsson as teaching that each user terminal is informed in a paging message in advance as

to which channel to receive an encoded message. The Examiner cites the following sections of Emilsson in support of this proposition: page 5, lines 11-21; page 5, line 32-page 6, line 6; and page 6, lines 25-29. (*December 14, 2007 Office Action, page 2.*) Applicants respectfully disagree, as Emilsson does not teach that user terminals receive paging messages indicating a channel on which to receive an encoded message.

According to Emilsson, a coding device is configured in the network to encode subscriber-specific data by a key to a code. A data transmission device is configured on the network to transmit encoded data on a data channel that is arranged for cell broadcast service. (*Emilsson, page 5, lines 11-21.*) Mobile devices that are subscribers to the broadcast service include decoding devices. The decoding devices decode the data with a key that is symmetric to the key used to encode the data. (*Emilsson, page 5, lines 21-29.*) Emilsson also discloses a method substantively identical to the devices just described. (*Emilsson, page 5, line 32 - page 6, line 6.*) According to Emilsson, this device and method are applicable to any telephone standard which can manage broadcast information to phones, and information of current interest can be limited to a geographical area. (*Emilsson, page 6, lines 25-29.*)

Applicants respectfully submit that nowhere does Emilsson teach that user terminals are informed in a paging message of a channel on which they should

receive an encoded message. Emilsson teaches that encoded messages are transmitted on a data channel on a broadcast channel, the data channel being “arranged” for a cell broadcast service. (*Emilsson*, page 5, lines 19-21; page 5, line 34 – page 6, line 1.) Emilsson is silent as to how the data channel is “arranged,” (*Emilsson*, page 5, lines 8-29), and **nowhere** does Emilsson suggest that “arranged” means that the identity of the data channel is conveyed to subscriber units via an earlier paging message. In fact, such a teaching would be contrary to Emilsson. The object of Emilsson is to allow only a portion of subscribers in a cell to receive broadcast messages, (*Emilsson*, page 4, line 28 – page 5, line 5), and it achieves this goal through encoding/decoding—not through channel allocation.

Moreover, Emilsson explicitly states that “The transmitted encoded subscriber specific data can be received by all subscribers in the cells where the data are transmitted, but decoded only in one subscriber's mobile station by a key to a code which is symmetric with the key to a code which was used for the encoding in the fixed network.” (*See Emilsson*, page 6, lines 1-6, *emphasis added*.) In contrast to the pending claims, Emilsson teaches broadcasting a coded message to all users of a cell, and users that have a symmetric key can decode the encoded message. Emilsson fails to teach or remotely suggest a multicast group paging message as presently claimed.

For the reasons presented above, Emilsson and Shaughnessy, taken either individually or in combination, fail to teach or suggest a *multicast group paging message indicating an allocated single wireless channel*, as recited in independent claims 44, 49, and 59. For at least this reason, Emilsson and Shaughnessy do not render claims 44, 49, and 59 obvious.

Claims 45-48, 50, 53-57, 60, 62-63, 68-72 stand rejected under 35 U.S.C. §103(a) as obvious over Shaughnessy in view Emilsson and further in view of U.S. Patent No. 5,930,248 to Langlet, et al. (hereinafter "Langlet"). Claims 45-48 are directly or indirectly dependent upon independent claim 44; claims 50 and 53-57 are directly or indirectly dependent upon independent claim 49; and claims 60 and 62-63 are directly or indirectly dependent upon independent claim 59. As discussed above with respect to the rejection of independent claims 44, 49, and 59, neither Shaughnessy nor Emilsson, taken alone or in combination, teach or remotely suggest a *multicast group paging message indicating an allocated single wireless channel*. Applicants submit that Langlet also fails to teach this element as recited in claims 44, 49, and 59.

The Examiner does not indicate that Langlet teaches a *multicast group paging message indicating an allocated single wireless channel*; rather, the Examiner states that Langlet teaches using a single channel for multicast messages. (*December 14, 2007 Office Action, page 2.*) Langlet teaches that signaling

functions are transmitted over signaling channels. According to Langlet, a paging channel is a downlink only channel, and is used for informing mobile units of signaling requirements, including when they are being called. (*Langlet, column 6, lines 25-31.*) While Langlet teaches a paging channel, Applicants agree with the Examiner in that Langlet does not teach a *multicast group paging message indicating an allocated single wireless channel*.

As Shaughnessy, Emilsson, and Langlet, taken individually or in combination, fail to teach remotely suggest a *multicast group paging message indicating an allocated single wireless channel*, this combination of references does not render claims 45-48, 50, 53-57, 60, 62-63 and 68-72 obvious. Independent claim 64 stands rejected under 35 U.S.C. §103(a) as obvious over the combination of Shaughnessy, Emilsson, and Langlet. Like claims 44, 49, and 59, claim 64 recites a *multicast group paging message indicating an allocated single wireless channel*. As discussed above with respect to the rejections of claims 45-48, 50, 53-57, 60, 62-63, 68-72, this combination of references, taken individually or in combination, fails to teach or remotely suggest a *multicast group paging message indicating an allocated single wireless channel*. For at least this reason, this combination of references does not render claim 64 obvious.

Claims 68-72 also stand rejected as obvious over this combination of references. Claims 68-72 are directly or indirectly dependent upon claim 64, and

Applicants believe that claims 65-72 are allowable over this combination of references for the reasons provided with respect to claim 64.

Claims 51-52, 58, 61, and 65-67 stand rejected under 35 U.S.C. §103(a) over the combination of Shaughnessy, Emilsson, and Langlet, further in view of U.S. Patent No. 6,308,079 to Pan et al. (hereinafter "Pan"). Claims 51-52 and 58 are dependent upon claim 49; claim 61 is dependent upon claim 59; and claims 65-67 are dependent upon claim 64. As discussed above, the combination of Shaughnessy, Emilsson, and Langlet fails to teach a *multicast group paging message indicating an allocated single wireless channel* as recited in claims 49, 59, and 64. Applicants submit that Pan also does not disclose this element as recited in claims 49, 59, and 64.

The Examiner does not state that Pan teaches a *multicast group paging message indicating an allocated single wireless channel*; rather, the Examiner indicates that Pan teaches a method wherein talkgroup subsets include sub-talkgroups, wherein some sub-talkgroups are listening groups. (*December 17, 2007 Office Action, page 9.*) According to Pan, members of a talkgroup are assigned an outbound code, and members of a sub-talkgroup are assigned an inbound code. Members of the sub-talkgroup can transmit voice information using the inbound code, which is then summed and re-transmitted to the talkgroup using the outbound code. (*Pan, column 2, lines 51-57.*) While Pan teaches talkgroups,

Applicants agree with the Examiner in that Pan does not disclose a *multicast group paging message indicating an allocated single wireless channel*.

As Shaughnessy, Emilsson, Langlet, and Pan, taken individually or in combination, fail to teach remotely suggest a *multicast group paging message indicating an allocated single wireless channel*, this combination of references does not render claims 51-52, 58, 61, and 65-67 obvious.

Based on the arguments presented above, withdrawal of the 35 U.S.C. §103(a) rejection of claims 44-72 is respectfully requested.


**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Farley et al.

By  \_\_\_\_\_  
Robert D. Leonard  
Registration No. 57,204

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103  
Telephone: (215) 568-6400  
Facsimile: (215) 568-6499

RDL/JEM/mnr